

## REMARKS

Upon entry of the foregoing Amendment, claims 1-2, 4, 6-8, 10-39, 41-43, and 57-72 are pending in the application. Claims 1-2, 4, 15, 18-19, 21, 24, 28-29, 38-39, 42, 57, 59-60, and 62 have been amended. No claims have been cancelled or newly added. Applicants believe that this Amendment does not add new matter. In view of the foregoing Amendment and the following Remarks, allowance of all the pending claims is requested.

### ENTRY OF THE AMENDMENT

Applicants submit that the foregoing Amendment should be entered for at least the reason that the amendments to the claims do not raise new issues that would require further consideration and/or search, nor do the amendments raise the issue of new matter. More particularly, the amendments to the claims have been made solely to address the claim objections raised by the Examiner and thereby place the application in condition for allowance. As such, for at least this reason, the Amendment should be entered.

### ALLOWABLE SUBJECT MATTER

Applicants thank the Examiner for indicating that claims 1-2, 4, 6-8, 10-39, 41-43, and 57-72 would be allowable if the claims were rewritten to overcome the claim objections presented in the Final Office Action, and if a Terminal Disclaimer was filed to overcome the obviousness-type double patenting rejection presented in the Final Office Action. Office Action, pages 2 and 6-8. As such, Applicants note that claims 1-2, 4, 15, 18-19, 21, 24, 57, 59-60, and 62 have been amended to overcome the outstanding claim objections, and further that a Terminal Disclaimer is being filed herewith to overcome the outstanding obviousness-type double patenting rejection. Thus, claims 1-2, 4, 6-8, 10-39, 41-43, and 57-72 each recite allowable subject matter. Notice to that effect is respectfully requested.

### CLAIM OBJECTIONS

The Examiner has objected to claims 1-2, 4, 6-8, 10-27, and 57-62 because of alleged informalities. In particular, the Examiner has objected to claims 1-2, 4, 6-8, 10-27, and 57-62

for reciting "various steps/elements 'configured to' perform certain functions," wherein the Examiner alleges that "[i]t is not certain whether these functions are part of the claim because they are not positively recited." Office Action, page 4.

Solely for the purpose of expediting prosecution of this application, and without acknowledging the propriety of the alleged basis for the objection, Applicants note that claims 1-2, 4, 15, 18-19, 21, 24, 57, 59-60, and 62 have been amended as indicated above to further clarify that the various components recited therein positively perform the various functions further recited therein. Furthermore, although not subject to any claim objections, claims 28-29, 38-39, and 42 have been amended as indicated above to further clarify that components "configured to" perform certain functions in fact positively perform such functions.

Thus, for at least the reason that the amendments to the claims fully address the alleged basis for the objection presented in the Office Action, Applicants request that the Examiner withdraw this objection to the claims.

#### NON-STATUTORY DOUBLE PATENTING REJECTION

The Examiner has rejected claims 1 and 28 under the judicially created doctrine of non-statutory obviousness-type double patenting as allegedly being unpatentable over claim 1 of U.S. Patent No. 7,398,209 in view of "A Distributed Architecture for Cooperative Spoken Dialogue Agents with Coherent Dialogue State and History to Lin et al. ("Lin").

Solely for the purpose of expediting prosecution of this application, and without acknowledging the propriety of the alleged basis for the rejection, Applicants note that a Terminal Disclaimer is being filed herewith to overcome this rejection. Accordingly, Applicants request that the Examiner withdraw this rejection of the claims. Furthermore, Applicants note that the filing of a Terminal Disclaimer to obviate a rejection based on non-statutory double patenting does not constitute an admission of the propriety of the rejection. *See Quad Environmental Technologies Corp. v. Union Sanitary District*, 946 F.2d 870 (Fed. Cir. 1991).

## CONCLUSION

Having addressed each of the foregoing objections and rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action. As such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,

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